

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Before the Board of Patent Appeals and Interferences

Applicant : Kevin O'Rourke

Serial No. : 09/939, 899

Filed : August 27, 2001

For : A SYSTEM AND USER INTERFACE FOR PROCESSING AND
NAVIGATING PATIENT RECORD INFORMATION

Examiner : Le V. Nguyen

Art Unit : 2174

REPLY BRIEF

May It Please The Honorable Board:

This is Appellant's Reply Brief in response to the Examiner's answer dated September 11, 2006. No fee for filing this Reply Brief is believed due. Should a fee be due please charge this fee to Deposit Account No. 19-2179. Appellants waive an Oral Hearing for this appeal.

Please charge any additional fee or credit any overpayment to the above-identified Deposit Account. Enclosed is a single copy of the Brief.

III. STATUS OF THE CLAIMS

Claims 1-24 are rejected and the rejection of claims 1 - 24 are appealed.

IV. STATUS OF AMENDMENTS

All amendments that were entered are reflected in the claims included in Appendix I. Formal Amendments to claims 6 and 23 made in the response to the Final Rejection were not entered.

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Applicant Arguments presented in the response filed September 14, 2004 did not timely traverse the Examiner's assertion of Official Notice.

Claims 6 and 23 are rejected under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-2, 5, 9, 13-14, 16 and 18 stand rejected under 35 U.S.C. 102(b) as being anticipated by Evans (U.S. Patent 5,924,074).

Claims 7 and 8 stand rejected under 35 U.S.C. 102(b) as being anticipated by Evans (U.S. Patent 5,924,074), or in the alternative, under 35 USC 103(a) as being obvious over Evans in view of Microsoft Excel Help.

Claims 3-4, 10, 11, 19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Evans (U.S. Patent 5,924,074) in view of Blewett et al. (U.S. Patent 6,327,589).

Claims 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Evans (U.S. Patent 5,924,074) in view of Myers et al. (U.S. Patent 5,832,450).

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Evans (U.S. Patent 5,924,074) in view of De la Huerga et al. (U.S. Patent 5,903,889), or in the alternative, as obvious over Evans in view of De la Huerga as applied to claim 10, and further in view of Screen Dumps of Internet Explorer.

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Evans (U.S. Patent 5,924,074) in view of Bessette (U.S. Patent 6,263,330) and further in view of Internet Explorer.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Evans (U.S. Patent 5,924,074) in view of De la Huerga et al. (U.S. Patent 5,903,889).

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Evans (U.S. Patent 5,924,074) in view of De la Huerga (U.S. Patent 5,903,889) as applied to claim 19 and further in view of Bessette (U.S. Patent 6,263,330).

Claims 22 and 23 stand rejected under 35 U.S.C. 102(b) as being anticipated by Evans (U.S. Patent 5,924,074), or in the alternative, under 35 USC 103(a) as being obvious over Evans in view of Internet Explorer.

Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Evans (U.S. Patent 5,924,074) in view of Internet Explorer.

VII. ARGUMENT

Evans when taken alone or in any combination with Blewett et al., De la Huerga et al., Myers et al., Bessette, Official Notice, Internet Explorer and Excel Help neither anticipates nor makes unpatentable the present claimed invention. Thus, reversal of the Final Rejection (hereinafter termed "rejection") of claims 1-24 under 35 U.S.C. §§ 102(b) and 103(a) is respectfully requested.

The arguments below address the Final Rejection of 7 October 2005 and are supplemental to the arguments contained in the Appeal Brief filed in this case on July 7, 2005. The Arguments in the previous Appeal Brief are fully pertinent and are to be considered in conjunction with the following arguments.

Overview of the Cited References

Overview of Evans, De la Huerga, Bessette and Myers are found in the Appeal Brief filed July 7, 2005 and are incorporated by reference herein.

Blewett describes searching a file in a format unsupported by a search engine by creating term-topic links with associated probabilities. A file is retrieved comprising a compressed HTML file or a webpage. The file is parsed to retrieve data associated with title tags and body tags. In addition, user queries are received so that the user may associate a query with the title data. Term-topic links are created by linking terms from the retrieved data and the query with a topic. Heuristics are then used to determine the probability associated with each term-topic link. Term-topic links having a term containing nouns are assigned a higher probability than verbs, verbs are assigned a higher probability than

adjectives, and adjectives and adverbs are assigned the same probability. The term-topic links are trained by adjusting the assigned probabilities based on a user defined query and an associated target topic.

Official Notice Traversal of claims 15, 23 and 24

The Examiner erroneously alleges that official notice taken in the Final Rejection dated February 9, 2005 was not traversed. Contrary to the Examiners assertion, in the Appeal Brief filed on 5 July 2005 Official Notice of these claims was both traversed and a request was made for information supporting the Official Notice argument. For example, concerning claim 15 (and also claims 23 and 24) Applicant states on page 40, lines 13-20 “It is submitted that the elements of which the Rejection takes official notice, in the context of claim 15, are neither features of “wide notoriety”, (In re Howard), nor capable of “instant and unquestionable demonstration” (In re Ahlert). On the contrary, these features are subject to the possibility of rational disagreement given the claim arrangements within which they reside. Consequently, Applicants **take exception** to instance of Official notice used in the rejection. Further, Applicants request that a showing be made of evidence that these features were well known, in the context of claim 15 at the time the invention was made.” Therefore, the Official Notice taken with respect to claims 15, 23 and 24 was traversed. The circulation of Microsoft’s Internet Explorer (IE), cited on page 20 of the Examiner’s Answer, merely describes that IE “saves a user time completing routine Web tasks, such as automatically completing Web addresses and forms for you, and automatically detecting your network and connection status”. IE also describes making pages available for offline viewing and working with temporary internet files. Applicant respectfully submits that despite Examiner’s continued reference to this IE circulation, the IE circulation as discussed later in connection with

claims 15, 23 and 24, makes no reference to the features of the present invention. Therefore, as discussed later in connection with claims 15, 23 and 24, the material provided by the Examiner fails to indicate the features of these claims were of “wide notoriety”, (In re Howard), nor capable of “instant and unquestionable demonstration” (In re Ahlert) or well known, in the context of their respective claims at the time the invention was made.

Rejection of Claims 6 and 23 under 35 U.S.C. 112, second paragraph

In the response after the Final office action filed on February 22, 2005, Claims 6 and 23 were formally amended to correct the minor formality discrepancies in these claims as fully discussed in the Appeal Brief filed on July 7, 2005. Arguments regarding the formality of the Amendments to claims 6 and 23 are contained therein. Thus, Applicant respectfully request that these amendments be entered as being formal in nature. It is further respectfully submitted that upon entry of these formal amendments this rejection is satisfied and should be withdrawn.

**Rejection of Claims 1, 2, 5, 9, 13, 14, 16 and 18
under 35 U.S.C. 102(b) over Evans (U.S. Patent 5,924,074)**

Reversal of the Final Rejection (hereinafter termed “rejection”) of claims 1-2, 5, 9, 13-14, 16 and 18 under 35 U.S.C. 102(b) as being anticipated by US Patent 5,924,074 issued to Evans is respectfully requested because the rejection makes crucial errors in interpreting the cited reference. The rejection erroneously states that claims 1-2, 5, 9, 13-14, 16 and 18 are anticipated by Evans.

The arguments below address the Examiner’s Answer of September 11, 2006 and are supplemental to the Supplemental Appeal Brief and to the Appeal Brief filed in this

case. The Arguments in the previous Supplemental Appeal Brief and to the previous Appeal Brief are fully pertinent and are to be considered in conjunction with the following arguments.

CLAIMS 1 and 9

A principle issue here is whether Evans discloses a patient medical record “content index” that is “dynamically derived, by processing information comprising an existing particular patient record, in response to a user command from” a portable processing device as alleged in the Answer (Answer pages 4-5 and 20-21). Applicant respectfully submits that these features are not shown (or suggested) in Evans.

As described in responses to previous rejections, the answer **fundamentally misinterprets** the claim language and betrays a **misperstanding** of the Application and Evans reference. MPEP 2111.01 states “it is only when the specification provides definitions for terms appearing in the claims that the specification can be used in interpreting claim language.” Additionally, the meaning “of a term may be evidenced by a variety of sources...including...the written description, the drawings, and the prosecution history.” And “the specification must be reviewed to determine ‘whether the presumption of ordinary and customary meaning is rebutted,’” and the “presumption will be overcome where the patentee, acting as his own lexicographer, has set forth a definition for the term different form its ordinary and customary meaning.” Applicant respectfully submits that the specification provides an express definition for a patient record **“content index,”** and in this definition, a patient record “content index” is NOT a “list of patients,” as described by Evans. The Application on page 9 lines 6-10 states “an advantage of the disclosed system is the ease of locating information in a patient record. This is facilitated by the dynamic generation by controller 15 in step 420 of a patient record content index.

It is a hyperlinked content index to each of the major sections of a patient chart such as Chemistry, Hematology, Vital Signs etc. as exemplified in elements 911-929 of Figure 11". Thereby, the specification indicates a "content index" is a **linked** (e.g., hyperlinked) "**content index to each of the major sections of a patient chart**". It is NOT and cannot reasonably be interpreted to be a "list of patients" as stated in the Answer. This error is made in connection with all the Application claims.

Additionally, the Answer also **ignores** the plain English definition of a "patient medical record content index." Contrary to the assertion in the Answer, Applicant uses "index" in the sense of "something used to point out." Thus, when the phrase "patient record content index" is taken as a whole, the plain English meaning is "something used to point out the matter contained in a patient medical record". Each patient medical record contains a quantity of information and the "patient record content index" helps a user to navigate the information in the medical record for the individual patient. Therefore, under no reasonable interpretation can a "patient record content index" be interpreted to be a "list of patients" as stated in the Answer on pages 4-5 and 20-21.

The Examiner further attempts to provide an alternate definition for "index." However, Applicant respectfully submits that per the MPEP 2111.01, Section II, "Where there are several common meanings for a claim term, the patent disclosure serves to point away from the improper meaning and toward the proper meanings." As described above, and with reference to the specification, under no reasonable interpretation can a "patient record content index" be interpreted to be a "list of patients" as stated in the Answer on pages 4-5 and 20-21.

These errors undermine the remaining arguments made by the Examiner which are reliant on, and colored by, this **fundamental misinterpretation**. The Answer on pages 4-5 and 20-21 first erroneously interprets a “content index” as a “list of patients” in connection with claim 1 and later in connection with claim 17 interprets a “content index” to be an “address”. The Rejection is not only making erroneous interpretations of claim terms but is using **inconsistent** erroneous interpretations.

Further, as per the MPEP, as described above, Applicant is able to act “as his own lexicographer,” and in fact does so with regards to a patient record content index. Applicant respectfully submits that the specification provides a definition for “said content index representative acquired data being dynamically derived, by processing information comprising an existing particular patient record, in response to a user command from said portable processing device to access said particular patient record.” Specifically, page 9 lines 10-22 of the specification recite, “as a new section of patient record data is retrieved from a record repository, a name of that section (e.g. Chemistry) is identified and stored in a memory buffer as an HTML hyperlink tag pointing to the report section it references”. The server application derives content index information from collated patient record information by parsing the patient record information or by parsing ancillary data associated with the patient record information. This is done in order to identify distinct patient record information sections for listing in a content index page as URL links to patient record sections. The ancillary data comprises, for example, header data of the patient record information, descriptive data in a data field of acquired patient record information, identification data in a data field of acquired patient record information, and text data derived by parsing content of acquired patient record information”. Contrary to the assertions on pages 21-22 of the Answer, Applicant still maintains that Evans provides no 35 USC 112 compliant description of HOW such a patient record “**content index**” may

be so “dynamically derived” or any description of such a feature at all. As described above, Evans does not disclose a “patient record content index,” and thus cannot possibly describe how such an index is derived. Rather, Figure 8 and Column 7, lines 28-34 of Evans merely describe a healthcare provider using the patient chart window to view patient data. The healthcare provider is able to select a view item from a list and display the selected view item. As explained in the Appeal Brief and the Supplemental Appeal Brief, Evans shows a **fixed, static and rigid** patient record structure and an associated compatible **fixed, rigid** user interface display image structure employed by portable devices. This is wholly unlike the present invention where “information comprising an existing particular record” is processed to “dynamically” derive “content index representative acquired data” “in response to a user command from said portable processing device to access said particular patient record.”

Evans does not show (or suggest) or provide any 35 USC 112 compliant enabling description of a patient record “**content index**” that is “dynamically derived, by processing information comprising an **existing** particular patient record, in **response** to a **user command from**” a **portable** processing device to access said particular patient record”. Consequently, withdrawal of the rejection of Claim 1 under 35 USC 102(b) is respectfully requested.

Dependent claim 9 is considered to be patentable for the reasons given in connection with claim 1.

CLAIM 5

Dependent claim 5 is considered to be patentable based on its dependence on claim 1. Therefore, the arguments presented above with respect to claim 1 also apply to claim 5.

In addition, claim 5 is also considered to be patentable because Evans neither discloses nor suggests the feature combination of claim 1 together with “initiating display of an image including a plurality of links to a corresponding plurality of lists of patients, and wherein said step of initiating display of an image including a plurality of links to a corresponding plurality of individual patients is performed in response to user selection one of said plurality of links to a corresponding plurality of lists of patients”. Contrary to the assertions on page 22 of the Answer, Figures 5-8 and 19-22 and column 5, line 56 to column 6, line 54 of Evans merely describe selecting a patient from a **single** list of patients to schedule an appointment for the selected patient. Additionally, a single patient record may be graphically displayed using a tabbed layout to organize the data. The sections of Evans relied on do not show or suggest “initiating display of **an image** including a **plurality** of links to a corresponding **plurality of lists** of patients”. The single list of Evans relied on does not show or suggest the claim 5 feature combination of “initiating display of **an image** including a **plurality** of links to a corresponding **plurality of lists** of patients”. This is not equivalent to the present claimed invention and thus Evans does not anticipate the present invention as claimed in claim 5.

CLAIMS 13, 14 and 16

Independent claim 13 is considered to be patentable for reasons given in connection with claim 1. Therefore, the arguments presented above with respect to claim 1 also apply to claim 13. Specifically, Evans neither discloses nor suggests a patient medical record “content index” that uses “data derived, by dynamically processing information comprising an existing patient record, in response to a user command from” a portable processing device. As discussed above, no where in Evans is there any description or suggestion of such a “dynamically” derived “patient medical record content index” for the reasons given in connection with claim 1. Consequently, Evans fails to show or suggest a “dynamically”

derived “content index image” that enables “display of an image including a recorded patient medical parameter value and an associated medical parameter label comprising an item of patient record information in response to user selection of a link” to one of the “plurality of items of patient record information” in the “dynamically” derived “**content index image**”.

Similarly, Evans in Figure 7 and column 7 lines 6-19 relied on in the Answer on page 22 does NOT show or suggest “initiating display of at least one of, (a) a reference range for said medical parameter and (b) a unit of measure for said medical parameter in response to user selection” of a “**medical parameter label**” in a “dynamically” derived “**content index image**”, as in the present claimed invention. As previously explained, Evans nowhere shows or suggests such a “dynamically” derived “**content index image**” used to select and initiate “display of at least one of, (a) a reference range for said medical parameter and (b) a unit of measure for said medical parameter in response to user selection”. Figure 7 cited in the answer is a form enabling a user to add annotations concerning patient test results (Evans column 7 lines 6-19). The blood test results are displayed and a user can add notes, such as circling a result that is out of a listed range, or writing the words “out of range” on the form. All of the test results and range information is present on the form and the user merely annotates the information. Nowhere on this form, in corresponding passages, or on the form shown in Figure 5 where the user selected the annotate button 159 to get to the form displayed in Figure 7, does “user selection of said medical parameter label” result in the initiation of the “display of at least one of, (a) a reference range for said medical parameter and (b) a unit of measure for said medical parameter,” as recited in the present claimed invention.

Applicant further respectfully submits that Column 8, lines 5-8 and column 11, lines 19-22 suggested by the Examiner as showing this feature combination, neither disclose nor suggest the features of the present invention at all. Rather, these passages describe "accepted practice guidelines require a healthcare provider to prescribe and administer medications" and "the medication manager provides information on medications," respectively. Nowhere in these passages is there any disclosure or suggestion that "user selection of said medical parameter label" results in the initiation of the "display of at least one of, (a) a reference range for said medical parameter and (b) a unit of measure for said medical parameter," as recited in the present claimed invention.

Dependent claim 14 is dependent on claim 13 and is therefore considered to be patentable for the reasons given in connection with claim 13. In view of the above remarks, it is respectfully submitted that claims 13 and 14 of the present invention are not anticipated by Evans for the reasons discussed above.

Dependent claim 16 is considered to be patentable based on its dependence on claim 13 and in connection with claim 1 and the reasons presented in the Appeal Brief filed on July 7, 2005 and the Supplemental Appeal Brief filed June 20, 2006 are incorporated herein.

CLAIM 18

Independent claim 18 is considered to be patentable for the reasons given in connection with claim 1, the reasons presented in the Appeal Brief filed on July 7, 2005

and the Supplemental Appeal Brief filed June 20, 2006. The arguments presented in the Appeal Brief and Supplemental Appeal Brief are incorporated herein.

In view of the above remarks, it is respectfully submitted that Evans provides no 35 USC 112 compliant enabling disclosure that anticipates the present claimed invention. Therefore, Applicant respectfully submits that the Rejection of claims 1-2, 5, 9, 13-14, 16 and 18 under 35 U.S.C. 102(b) be withdrawn.

**Rejection of Claims 7 and 8 under 35 USC 102(b) over
Evans (U.S. 5,924,074) or, under 35 USC 103(a)
over Evans in view of Microsoft Excel.**

Claims 7 and 8 stand rejected under 35 U.S.C. 102(b) as being anticipated by Evans (U.S. Patent 5,924,074), or in the alternative, under 35 USC 103(a) as being obvious over Evans in view of Microsoft Excel Help.

CLAIMS 7 and 8

With respect to the rejection under 35 USC 102(b) of claims 7 and 8, Applicant respectfully submits that Claims 7 and 8 are patentable in view of their dependence on Independent claim 1 as argued above and in the previous Appeal Brief and Supplemental Appeal Brief. Claims 7 and 8 are also considered patentable in view of the arguments presented in the Appeal Brief filed on July 7, 2005 and the Supplemental Appeal Brief filed June 20, 2006 are incorporated herein. Therefore, Applicant respectfully submits that in view of the above remarks, Evans provides no 35 USC 112 compliant enabling disclosure that anticipates the present invention as claimed in claims 7 and 8.

Excel is able to initiate a “Freeze Pane” feature which allows for horizontal and vertical panes to allow you to determine where a split between the panes is to appear. However, similarly to Evans, Excel (with Evans) neither discloses nor suggests a patient record “**content index**” that is “dynamically derived, by processing information comprising an **existing** particular patient record, in **response to a user command from**” a **portable** processing device to access said particular patient record” as in the present claimed invention. There is no 35 USC 112 compliant enabling disclosure within Excel that provides sufficient motivation to combine the references to produce the present claimed invention. Evans, as discussed above with respect to claim 1 is wholly unlike and unrelated to the present claimed invention. Furthermore, Excel is merely a spreadsheet program and is also wholly unlike the present claimed invention. Thus, the combination of Evans with Excel neither discloses nor suggests the features of claims 7 and 8 of the present invention.

In view of the above remarks and the remarks presented in the Appeal Brief and Supplemental Appeal Brief, it is respectfully submitted that Evans alone or in combination with Excel provide no 35 USC 112 compliant enabling disclosure that anticipates or makes unpatentable the present claimed invention. Consequently, it is respectfully requested that the rejection of claims 7 and 8 under either 35 USC 102(b) or 35 USC 103(a) be withdrawn.

**Rejection of Claims 3, 4, 10, 11, 19 and 21 under 35 USC 103(a) over
Evans (U.S. 5,924,074) in view of Blewett et al. (U.S. 6,327,589).**

Claims 3, 4, 10, 11, 19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,924,074 – Evans in view of U.S. Patent 6,327,589 –

Blewett. These claims, as amended, are considered patentable for reasons given in connection with claim 1 and for the following reasons.

CLAIMS 3 and 4

Dependent claim 3 is considered to be patentable based on its dependence on claim 1. Therefore, the arguments presented above with respect to claim 1 also apply to claim 3. Specifically, Evans neither discloses nor suggests a patient medical record “content index” that is “dynamically derived, by processing information comprising an existing particular patient record, in response to a user command from” a portable processing device. Rather Evans shows a fixed, static and rigid patient record structure and an associated compatible fixed, rigid user interface display image structure employed by portable devices. Nowhere does Evans (with Blewett) mention a dynamic content index creation, nor does Evans (with Blewett) disclose a method of accomplishing such creation. This, in combination with the Evans teaching of use of a fixed configuration user interface image structure incompatible with dynamic content index creation, corroborate that Evans simply did not contemplate such a feature or recognize any need for it.

In addition, claim 3 is also considered patentable because claim 3 recites a method in which “said processing of said information comprising said existing particular patient record includes the activity of deriving content index information from patient record information by parsing patient record information ancillary data to identify distinct patient record information sections”. As described in arguments presented in the Appeal Brief filed on July 7, 2005 and the Supplemental Appeal Brief filed June 20, 2006 pages 24-26, these features, in combination with the features of claim 1, are not shown or suggested in Evans in combination with Blewett.

The Answer relies on the Abstract of Blewett that merely discusses parsing of an HTML file for tags (“a compressed HTML file or a webpage” file “is parsed to retrieve data associated with title tags and body tags”- Abstract). Blewett does NOT teach a system involving “parsing patient record information ancillary data to identify distinct patient record information sections”. Parsing of an HTML file for tags does not show or suggest “parsing patient record information ancillary data to identify distinct patient record information sections”. Further, Blewett concerns search engine technology, specifically a system for searching files for topics where a file format is unsupported by the search engine. Contrary to the assertion on page 25 of the Answer, this art is non-analogous art and one of ordinary skill in the art in medical information processing would not look to such a search engine technology reference to derive a system for processing patient records. Applicant respectfully submits that not only is search engine technology not “in the field of applicant’s endeavor,” but is it also not “reasonably pertinent to the particular problem with which the applicant was concerned”. Applicant addresses limitations with computerized patient records by providing “a portable patient record processing device” which “permits a physician to access and search current patient record information at the point of care using tools provided by the computerized patient record system” and providing “capabilities for securely accessing, transferring and updating patient record information” and “for creating and navigating image menus supporting the location and access of desired patient record data by a user” (Specification page 1, line 24 to page 2, line 7). These limitations are not addressed by Evans with Blewett at all. There is no suggestion in Evans with Blewett of searching for “patient record information ancillary data” to identify “distinct patient record information sections” at all or any 35 USC 112 compliant teaching of HOW such a search is to be performed.

The combination of the Blewett features and Evans system as suggested in the Rejection results in a system in which a patient medical record data structure that is fixed “upon creation of a patient record” is searched for “HTML tags”. Such a system does NOT search “patient record information ancillary data” to identify “**distinct** patient record information **sections**” and has no need to, since the patient medical record data structure is fixed “**upon creation of a patient record**” and known. Further, there is no other problem recognition, reason or other motivation for combining the cited references to provide the claimed arrangement.

Dependent claim 4 is considered to be patentable for the reasons given in connection with claim 3. In view of the above remarks, it is respectfully submitted that claims 3 and 4 of the present invention are not made unpatentable by Evans with Blewett for the reasons discussed above. Consequently withdrawal of the Rejection of Claims 3 and 4 under 35 USC 103(a) is respectfully requested.

CLAIM 10

Independent claim 10 is considered to be patentable for reasons similar to those given in support of claims 1 and 3.

The method of claim 10 involves “dynamically generating a patient record content index by deriving content information from ancillary data associated with said acquired patient record information in response to a user command from said portable processing device to access said particular patient record.” Neither Evans nor Blewett, individually or together, suggest such features. Neither Blewett nor Evans, alone or together, disclose dynamic generation of a patient record content index let alone through a user command causing content information to be derived from ancillary data associated with the acquired

patient record information as in the present invention as claimed in claim 10. Blewett also does NOT teach a method involving “dynamically generating a patient record content index by deriving content information from ancillary data associated with said acquired patient record information in response to a user command from said portable processing device to access said particular patient record.”

There is no suggestion in Evans with Blewett of searching for “patient record information ancillary data” to “dynamically generate a patient record content index.” The combination of the Blewett features and Evans system as suggested in the Answer results in a system in which a patient medical record data structure that is fixed “upon creation of a patient record” is searched for “HTML tags”. Parsing of an HTML file for tags does not show or suggest “parsing patient record information ancillary data to identify distinct patient record information sections”.

As also described above, Blewett concerns search engine technology, specifically a system for searching files for topics where a file format is unsupported by the search engine. Applicant respectfully submits that contrary to the assertion on page 27 of the Answer, there is no reason to combine these references. This art is non-analogous art and one of ordinary skill in the art in medical information processing would not look to such a search engine technology reference to derive a system for processing patient records. Applicant respectfully submits that not only is search engine technology not “in the field of applicant’s endeavor,” but is it also not “reasonably pertinent to the particular problem with which the applicant was concerned”. Applicant addresses limitations with computerized patient records by providing “a portable patient record processing device” which “permits a physician to access and search current patient record information at the point of care using tools provided by the computerized patient record system” and providing “capabilities for

securely accessing, transferring and updating patient record information” and “for creating and navigating image menus supporting the location and access of desired patient record data by a user” (Specification page 1, line 24 to page 2, line 7). These limitations are not addressed by Evans with Blewett at all. There is no suggestion in Evans with Blewett of searching “patient record information ancillary data” to “dynamically generate a patient record content index” and as discussed in connection with claim 4 in the Supplemental Appeal Brief filed June 20, 2006 on page 26, the Evans with Blewett system is inoperable and would fail to identify “**distinct** patient record information **sections**”. Further, there is no other problem recognition, reason or other motivation for combining the cited references to provide the claimed arrangement. Consequently withdrawal of the Rejection of Claim 10 under 35 USC 103(a) is respectfully requested.

CLAIMS 19 and 21

Independent claim 19 is considered to be patentable for reasons similar to those given in support of claims 1, 3 and 10.

Independent claim 19 is considered to be patentable because Evans with Blewett neither discloses nor suggests a patient medical record “deriving content index information from information in an existing patient record by parsing patient record information ancillary data to identify distinct patient record information sections in response to a user” as in the present claimed invention. These features are not shown or suggested in Evans in combination with Blewett.

Dependent claim 21 is considered to be patentable based on its dependence on claim 19 for the reasons given in connection with claims 1 and 4 and other claims.

In view of the above remarks, it is respectfully submitted that Evans alone or in combination with Blewett provide no 35 USC 112 compliant enabling disclosure that makes the present claimed invention unpatentable. Consequently withdrawal of the Rejection of claims 3-4, 10, 11, 19 and 21 under 35 USC 103(a) is respectfully requested.

**Rejection of Claim 6 under 35 USC 103(a) over
Evans (U.S. 5,924,074) in view of Myers et al. (U.S. 5,832,450).**

CLAIM 6

Dependent claim 6 is considered to be patentable for reasons given in connection with claim 1 and because of its dependence on claim 1. Therefore, the arguments presented above with respect to claim 1 also apply to claim 6. Additionally, the reasons concerning the patentability of claim 6 over Evans with Myers presented in the Appeal Brief filed on July 7, 2005 and the Supplemental Appeal Brief filed June 20, 2006 are incorporated herein.

Evans with Myers teaches the advantage of using a patient medical record data structure that is fixed “**upon creation of a patient record**” used by the point of care system and does not contemplate such a feature combination or its advantages (see Evans column 8 lines 29-34). Myers Figures 2a and 2b comprise “an interface” used “for processing patient information” that also acts as a “**gateway** through which providers gain access to collections of individual patient medical records (Myers column 4 lines 17-21). The Figure 2a and 2b images do NOT provide a “content index to each of the major sections of a patient chart” and are not a patient record “content index,” as recited in the present invention. Consequently, Myers with Evans fails to show or suggest “initiating display of said patient record **content index** image including a plurality of links to a corresponding plurality of items of patient record information and a plurality of image

icons for display in a plurality of images, said image icon supporting at least one of, (a) initiating display of said image including links to a plurality of lists of patients, (b) initiating display of said image including a plurality of links to a corresponding plurality of individual patients, and (c) initiating display of medical record information for a next patient".

Applicant further maintains, contrary to the assertion on page 29 of the Answer, that the combination of Evans with Myers would NOT have suggested the features of the present invention to those of ordinary skill in the art. As described above, Evans teaches the electronic maintenance of patient records using a patient medical record data structure that is fixed "**upon creation of a patient record.**" Fixed data is completely contrary to the dynamic data of the present invention. Myers is concerned with "electronic medical record systems, and more particularly to an electronic medical record system using a text database to store medical encounter information" (Myers column 1 lines 15-18). Myers does not mention or contemplate portable devices accessing patient medical records and does not recognize the problems involved in such access. Neither reference individually or in combination shows or suggests dynamically deriving a "patient record content index" for display in an image **together with** a "plurality of links to a corresponding plurality of items of patient record information and a plurality of image icons for display in a plurality of images, said image icon supporting at least one of, (a) initiating display of said image including links to a plurality of lists of patients, (b) initiating display of said image including a plurality of links to a corresponding plurality of individual patients, and (c) initiating display of medical record information for a next patient". There is no recognition in Evans or Myers alone or together of the advantages supported by the dynamic "content index" generation in being able to specifically "access a desired portion of a patient record without having to download and navigate through an entire record which is often large

(particularly for a patient with extensive medical history) and cumbersome and a substantial burden for a portable device in view of storage, power and processing constraints (Application page 2 lines 3-7, page 9 lines 6-13). There is also no other reason or motivation in Evans or Myers for combining the Evans and Myers systems to incorporate the claimed features.

In view of the above remarks, it is respectfully submitted that Evans alone or in combination with Meyers provide no 35 USC 112 compliant enabling disclosure that makes the present claimed invention unpatentable. Therefore, withdrawal of the rejection of claim 6 under 35 USC 103(a) is respectfully requested.

**Rejection of Claim 12 under 35 USC 103(a) over
Evans (U.S. 5,924,074) in view of De la Huerga et al. (U.S. 5,903,889) and further in
view of Screen Dumps of Internet Explorer (“IE”).**

CLAIM 12

Dependent claim 12 is considered to be patentable based on its dependence on claim 10 and for the reasons given in connection with claims 1, 6, 10 and 22 and other claims. Therefore, the arguments presented above with respect to claims 1, 6, 10 and 22 also apply to claim 12. As the Answer on pages 12-13, and 29-30 merely repeats the statements made in the Rejection mailed October 7, 2005, the arguments made in the Appeal Brief filed on July 7, 2005 and the Supplemental Appeal Brief filed June 20, 2006 responding to these rejections are incorporated herein.

Incorporating the offline web page viewing capability of an Internet Explorer browser into the system of Evans with De la Huerga merely provides a system for accessing a fixed medical record structure patient medical record using key words or

phrases from a portable device and provides offline access to an individual web page. The combined system does NOT show or suggest dynamic “content index” creation in response to user command from a portable processing device. The combined system also fails to show or suggest this feature in combination with the capability of providing offline access to patient medical record sections that are substantially larger than a web page. There is also no reason or motivation in Evans with De la Huerga or IE for combining the Evans, De la Huerga and IE systems to incorporate the claimed features. Consequently withdrawal of the Rejection of claim 12 under 35 USC 103(a) is respectfully requested.

In view of the above remarks, it is respectfully submitted that Evans alone or in combination with either De la Huerga and/or Internet Explorer provide no 35 USC 112 compliant enabling disclosure that makes the present claimed invention unpatentable. Dependent claim 12 is considered to be patentable for reasons given in connection with claims 1, 6, 10 and 22. Therefore, the arguments presented above with respect to claims 1, 6, 10 and 22 also apply to claim 12. Consequently withdrawal of the Rejection of claim 12 under 35 USC 103(a) is respectfully requested.

**Rejection of Claim 15 under 35 USC 103(a) over
Evans (U.S. 5,924,074) in view of Bessette (U.S. 6,263,330) and further in view of
Internet Explorer (IE).**

CLAIM 15

Dependent claim 15 is considered to be patentable based on its dependence on Claim 13. Therefore, the argument presented above with respect to claim 13 also apply to claim 15. As the Answer on pages 14-15, and 30-31 merely repeats the statements made in the Rejection mailed October 7, 2005, the arguments made in the Appeal Brief filed on

July 7, 2005 and the Supplemental Appeal Brief filed June 20, 2006 in response to these rejections are incorporated herein.

The system of Claim 15 involves “initiating display of an image including a recorded patient medical parameter value and an associated medical parameter label” in “response to user selection of a link to one of said plurality of items of patient record information” in the “dynamically” generated “**content index** image”. Further, the “medical parameter label is a URL link stored in said portable processing device, and said at least one of, (a) a reference range for said medical parameter and (b) a unit of measure for said medical parameter, is acquired and displayed using said medical parameter label URL”. Evans with Bessette and IE, individually or together, fail to show or suggest such features.

The Answer on page 14 recognizes Evans fails to disclose a medical parameter may be a URL link but erroneously states Bessette in column 12 lines 18-66 shows such a feature. Rather, Bessette in column 12 lines 18-66 discusses pointers to documents (not individual medical parameters) from a workstation (not a portable processing device). Bessette discusses a portable **memory** e.g. a medical smart card (column 4 line 63) but does not contemplate use of (or provide 35 USC 112 compliant enabling disclosure of) a portable **processing device** for accessing individual patient medical parameters using a “dynamically” generated “content index”. IE, relied on in the Rejection, merely shows URLs may be used to access web pages and does not teach use of URL links to individual medical parameters of a patient contrary to the Answer statement on pages 14 and 31. As evidence supporting the Examiner’s Official Notice, the reference sections relied on are NOT indicative of facts of “wide notoriety”, In re Howard, 394 F. 2d 869, 157 USPQ 615, 616 (CCPA 1968) e.g. a fact commonly known to laymen everywhere, 29 AM. Jur 2D

Evidence S. 33 (1994) or of a fact that is capable of “instant and unquestionable demonstration”, In re Ahlert 424 F. 2d 1088, 1091, 165 USPQ 418, 420 (CCPA 1970).

Further, Bessette, like Evans, also fails to recognize the problems in storage, power and processing limitations associated with portable processing device access to patient medical data addressed by the claimed arrangement. The combined references further fail to provide any other motivation or reason for combining their disparate systems. The combined arrangement provides a system for accessing documents of a fixed structure patient medical record via URLs from fixed location workstations and fails to provide or suggest the claimed arrangement.

In view of the above remarks, it is respectfully submitted that Evans alone or in combination with any of Bessette or Internet Explorer provide no 35 USC 112 compliant enabling disclosure that makes the present claimed invention unpatentable. Consequently withdrawal of the Rejection of claim 15 under 35 USC 103(a) is respectfully requested.

**Rejection of Claim 17 under 35 USC 103(a) over
Evans (U.S. 5,924,074) in view of De la Huerga et al. (U.S. 5,903,889).**

CLAIM 17

Claim 17 is considered patentable based on its dependence on claim 13. Therefore, the arguments presented above with respect to claim 13 also apply to claim 17. As the Answer on pages 15 and 23 merely repeats the statements made in the Rejection mailed October 7, 2005, the arguments made in the Appeal Brief filed on July 7, 2005 and the Supplemental Appeal Brief filed June 20, 2006 in response to these rejections are incorporated herein.

Specifically, Evans shows a fixed, static and rigid patient record structure and an associated compatible fixed, rigid user interface display image structure employed by portable devices. Nowhere does Evan (with De la Huerga) mention a dynamic content index creation, nor does Evans (with De la Huerga) disclose a method of accomplishing such creation. This, in combination with the Evans teaching of use of a fixed configuration user interface image structure incompatible with dynamic content index creation, corroborate that Evans simply did not contemplate such a feature or recognize any need for it.

In addition, Column 17 lines 13-15 of de la Huerga relied on in the Answer on page 23 merely states “said address is created by using information determined by parsing said reference to said first record”. An address is not a “content index”. The Answer on page 20 first erroneously interprets a “content index” as a “list of patients” in connection with claim 1 and now in connection with claim 17 interprets a “content index” to be an “address”. The Answer is not only making erroneous interpretations of claim terms but is using inconsistent erroneous interpretations.

The combination of the De la Huerga features and Evans system as suggested in the Rejection results in a system in which a patient medical record data structure that is fixed “upon creation of a patient record” is searched for “data references by searching it for text corresponding to a hypertext link or a multimedia data request” or “key words or key phrases”. Such a system does NOT derive “content information from ancillary data associated with acquired patient record information” and has no need for a feature such as this due to the patient medical record data structure in the De la Huerga and Evans systems being fixed **“upon creation of a patient record”**. Further, there is no other problem

recognition, reason or other motivation for combining the cited references to provide the claimed arrangement.

In view of the above remarks, it is respectfully submitted that Evans alone or in combination with De la Huerga provide no 35 USC 112 compliant enabling disclosure that makes the present claimed invention unpatentable. Consequently withdrawal of the Rejection of Claim 17 under 35 USC 103(a) is respectfully requested.

**Rejection of Claim 20 under 35 USC 103(a) over
Evans (U.S. 5,924,074) in view of De la Huerga (U.S. 5,903,889) as applied to claim 19
and further in view of Bessette (U.S. 6,263,330).**

This claim is considered to be patentable based on its dependence on claim 19 and for reasons given in connection with previous claims and for the following reasons. Applicant respectfully submits that as the Answer on pages 16 and 32 merely repeats the statements made in the Rejection mailed October 7, 2005, the arguments made in the Appeal Brief filed on July 7, 2005 and the Supplemental Appeal Brief filed June 20, 2006 are incorporated herein.

Neither Evans nor Bessette with De la Huerga show or suggest “**communicating** to said portable processing device at least one of, (a) a reference range for said medical parameter and (b) a unit of measure for said medical parameter in **response to receiving** a message **addressed to a URL** associated with a medical parameter label” in combination with the other claimed features.

Contrary to the Answer statement on page 32, Bessette in column 12 lines 18-66 discusses pointers to documents (not individual medical parameters) accessed from a

workstation (not a portable processing device). Bessette discusses a portable **memory**, e.g. a medical smart card (column 4 line 63), but does not contemplate use of (or provide 35 USC 112 compliant enabling disclosure of) a portable **processing device** for accessing individual patient medical parameters using a “dynamically” generated “content index”. Further, neither reference shows any specific problem recognition, motivation, or other reason for incorporating the claimed feature arrangement.

In view of the above remarks, it is respectfully submitted that Evans alone or in combination with De la Huerga provide no 35 USC 112 compliant enabling disclosure that makes the present claimed invention unpatentable. Consequently withdrawal of the Rejection of claim 20 under 35 USC 103(a) is respectfully requested.

Rejection of Claims 22 and 23 under 35 USC 102(b) as anticipated by Evans (U.S. 5,924,074) and under 35 USC 103(a) over Evans (U.S. 5,924,074) in view of Internet Explorer (IE).

CLAIMS 22 and 23

These claims are deemed to be patentable based on their dependence on claim 1 for the reasons given in connection with claims 1 and other claims. These claims are also considered to be patentable for the reasons given below.

CLAIM 22

Dependent claim 22 is considered to be patentable based on its dependence on claim 1 and for the reasons given in connection with claims 1 and 6 and other claims. Therefore, the arguments presented above with respect to claims 1 and 6 also apply to claim 22. As the Answer on pages 17 and 33 merely repeats the statements made in the Rejection mailed October 7, 2005, the arguments made in the Appeal Brief filed on July 7,

2005 and the Supplemental Appeal Brief filed June 20, 2006 in response to these rejections are incorporated herein.

Evans, as recognized in the Answer on page 33, does not suggest such a feature. Additionally, contrary to the Rejection statements on page 33, incorporating the offline web page viewing capability of an Internet Explorer browser into the system of Evans merely provides a system for accessing a fixed medical record structure patient medical record from a portable device and providing offline access to an individual web page. The **combined system** does NOT show or suggest “acquiring data representing said portion of said patient record in response to user selection” of a “link” to “patient record information” in a “dynamically” generated “content index” for “access on said portable processing device when said portable processing device is offline”. The **combined system** also fails to show or suggest this feature in combination with the capability of providing offline access to patient medical record sections that are substantially larger than a web page. There is also no reason or motivation in Evans or IE for combining the Evans and IE systems to incorporate the claimed features. The Examiner has also failed to provide any documentary date evidence of the Internet Explorer offline function indicating it may be considered to be prior art. Consequently withdrawal of the Rejection of claim 22 under 35 USC 103(a) is respectfully requested.

CLAIM 23

Dependent claim 23 is considered to be patentable based on its dependence on claim 1 and for the reasons given in connection with previous claims. Therefore, the arguments presented above with respect to claim 1 also apply to claim 23. As the Answer on pages 18-19 and 33-34 merely repeats the statements made in the Rejection mailed October 7, 2005, the arguments made in the Appeal Brief filed on July 7, 2005 and the

Supplemental Appeal Brief filed June 20, 2006 in response to these rejections are incorporated herein.

Evans in Figure 8, column 7 lines 28-34, column 9 lines 10-18, and column 5 lines 3-4 and IE have negligible bearing on the claimed features. Applicant is unclear as to why “information” transfer by “LAN/WAN connection” and “storing such in cache memory” (Answer page 34) has any relevance to “dynamically” deriving a “patient record **content index**” by “processing information comprising an existing particular patient record” in response “to **download of particular patient record** information to said portable processing device” as recited in the present claimed invention. The Rejection statement that IE teaches storage of information in a portable processing device also has no apparent relevance to the claimed features. Due to the lack of apparent relevance of the references to the claimed features, Applicant respectfully submits that a combination of the references would likewise have no relevance to the claimed features. Applicant requests clarification of the reasoning applied here.

The above discussion indicates that evidence supporting the Examiner’s Official Notice, IE (with Evans) is wholly inadequate and certainly NOT indicative of a fact of “wide notoriety”, In re Howard, 394 F. 2d 869, 157 USPQ 615, 616 (CCPA 1968) e.g. a fact commonly known to laymen everywhere, 29 AM. Jur 2D Evidence S. 33 (1994) or of a fact that is capable of “instant and unquestionable demonstration”, In re Ahlert 424 F. 2d 1088, 1091, 165 USPQ 418, 420 (CCPA 1970).

In view of the above remarks, it is respectfully submitted that Evans alone or in combination with Internet Explorer provide no 35 USC 112 compliant enabling disclosure

that makes the present claimed invention unpatentable. Consequently, it is respectfully requested that the rejection of claims 22 and 23 under 35 USC 103(a) be withdrawn.

Rejection of Claim 24 under 35 USC 103(a) over Evans (U.S. 5,924,074) in view of Internet Explorer (IE).

CLAIM 24

Dependent claim 24 is considered to be patentable based on its dependence on claim 1 and for the reasons given in connection with other claims. Therefore, the arguments presented above with respect to claim 1 also apply to claim 24. As the Answer on pages 19 and 35 merely repeats the statements made in the Rejection mailed October 7, 2005, the arguments made in the Appeal Brief filed on July 7, 2005 and the Supplemental Appeal Brief filed June 20, 2006 responding to these rejections are incorporated herein.

IE with Evans does not show or suggest “storing” acquired data “representing said plurality of links in said portable processing device” for display in a “dynamically” generated “content index,” as recited in the present claimed invention. IE (with Evans) merely shows storage of URL links to web pages in a laptop, for example. This does not show or suggest “storing” acquired data “representing” a “plurality of links” to “patient record information” in a “portable processing device” for display in a “dynamically” generated “content index”. A link to a web page has negligible relation to “acquiring” data “representing” a “plurality of links” to “patient record information” in a “portable processing device” for display in a “dynamically” generated “content index”.

The above discussion indicates that as evidence supporting the Examiner’s Official Notice, IE (with Evans) is wholly inadequate and certainly NOT indicative of a fact of “wide notoriety”, In re Howard, 394 F. 2d 869, 157 USPQ 615, 616 (CCPA 1968) e.g. a

fact commonly known to laymen everywhere, 29 AM. Jur 2D Evidence S. 33 (1994) or of a fact that is capable of “instant and unquestionable demonstration”, In re Ahlert 424 F. 2d 1088, 1091, 165 USPQ 418, 420 (CCPA 1970).

In view of the above remarks, it is respectfully submitted that Evans alone or in combination with Internet Explorer provide no 35 USC 112 compliant enabling disclosure that makes the present claimed invention unpatentable. Consequently, it is respectfully requested that the rejection of claim 24 under 35 USC 103(a) be withdrawn.

In view of the above remarks, and the remarks made in the Appeal Brief and Supplemental Appeal Brief, Applicants submit that the Application is in condition for allowance, and favorable reconsideration is requested.

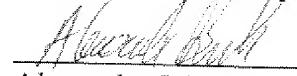
VIII CONCLUSION

Neither Evans, Blewett et al., De la Huerga et al., Myers et al., Bessette, the Official Notice, Excel nor Internet Explorer alone or in any combination with one another disclose a method for providing a user interface for use by a portable processing device for accessing and navigating patient record information as in the present claimed invention. Evans, Blewett et al., De la Huerga et al., Myers et al., Bessette, the Official Notice, Excel or Internet Explorer neither disclose nor suggest “receiving user identification information for use in authorizing user operation of said portable processing device” as in the present claimed invention. Additionally, Evans, Blewett et al., De la Huerga et al., Myers et al., Bessette, the Official Notice, Excel or Internet Explorer neither disclose nor suggest “initiating display of an image including a plurality of links to a corresponding plurality of individual patients” as in the present claimed invention. Also, Evans, Blewett et al., De la

Huerga et al., Myers et al., Bessette, the Official Notice, Excel or Internet Explorer neither disclose nor suggest "acquiring data representing a patient record content index, said content index representative acquired data being dynamically derived, by processing information comprising an existing particular patient record, in response to a user command from said portable processing device to access said particular patient record" as in the present claimed invention. Additionally, Evans, Blewett et al., De la Huerga et al., Myers et al., Bessette, the Official Notice, Excel or Internet Explorer neither disclose nor suggest "initiating display of a patient record content index including a plurality of links to a corresponding plurality of items of patient record information image using said acquired data in response to user selection of a link to one of said plurality of individual patients" as in the present claimed invention. Furthermore, Evans, Blewett et al., De la Huerga et al., Myers et al., Bessette, the Official Notice, Excel or Internet Explorer neither disclose nor suggest, "initiating display of an image including information comprising a portion of a patient record in response to user selection of a link to one of said plurality of items of patient record information" as in the present claimed invention.

Accordingly it is respectfully submitted that the rejection of Claims 1– 24 should be reversed.

Respectfully submitted,
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Date: November 3, 2006

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APPENDIX I - APPEALED CLAIMS

1. (Previously Presented) A method for providing a user interface for use by a portable processing device for accessing and navigating patient record information, comprising the activities of:

receiving user identification information for use in authorizing user operation of said portable processing device;

initiating display of an image including a plurality of links to a corresponding plurality of individual patients;

acquiring data representing a patient record content index, said content index representative acquired data being dynamically derived, by processing information comprising an existing particular patient record, in response to a user command from said portable processing device to access said particular patient record;

initiating display of a patient record content index including a plurality of links to a corresponding plurality of items of patient record information image using said acquired data in response to user selection of a link to one of said plurality of individual patients; and

initiating display of an image including information comprising a portion of a patient record in response to user selection of a link to one of said plurality of items of patient record information.

2. (Previously Presented) A method according to claim 1, wherein,

said processing of said information comprising said existing particular patient record is performed by one of, (a) an application located in a remote device and (b) an application in said portable processing device.

3. (Previously Presented) A method according to claim 2, wherein
said processing of said information comprising said existing particular
patient record includes the activity of

deriving content index information from patient record information by
parsing patient record information ancillary data to identify distinct patient record
information sections.

4. (Original) A method according to claim 3, wherein
said ancillary data comprises at least one of, (a) header data of said acquired
patient record information, (b) descriptive data in a data field of said acquired patient
record information, (c) identification data in a data field of said acquired patient record
information, and (d) text data derived by parsing content of said acquired patient record
information.

5. (Previously Presented) A method according to claim 1, including the
activity of,

initiating display of an image including a plurality of links to a
corresponding plurality of lists of patients, and wherein said step of initiating display of an
image including a plurality of links to a corresponding plurality of individual patients is
performed in response to user selection one of said plurality of links to a corresponding
plurality of lists of patients.

6. (Previously Presented) A method according to claim 1, including the
activity of,

initiating display of said patient record content index image including a
plurality of links to a corresponding plurality of items of patient record information and a

plurality of image icons for display in a plurality of images, said image icon supporting at least one of, (a) initiating display of said image including links to a plurality of lists of patients, (b) initiating display of said image including a plurality of links to a corresponding plurality of individual patients, and (c) initiating display of medical record information for a next patient.

7. (Previously Presented) A method according to claim 1, including the activity of,

maintaining a row element stationary upon horizontally scrolling an image screen display including other elements of said row.

8. (Original) A method according to claim 7, wherein
said stationary row element is the first data element of said row.

9. (Previously Presented) A method according to claim 1, including the activity of,

maintaining a column element stationary upon vertically scrolling an image screen display including other elements of said column.

10. (Previously Presented) A user interface method for use by a portable processing device for accessing and navigating patient record information, comprising the activities of:

receiving user identification information for use in authorizing user operation of said portable processing device;

acquiring patient record information comprising an existing particular patient record from an information repository;

dynamically generating a patient record content index by deriving content information from ancillary data associated with said acquired patient record information in response to a user command from said portable processing device to access said particular patient record; and

initiating display of data representing said patient record contents index including a plurality of links to a corresponding plurality of items of patient medical record information.

11. (Previously Presented) A method according to claim 10, wherein
said user command from said portable processing device to access said particular patient record comprises user selection of a link to a particular patient.

12. (Previously Presented) A method according to claim 10, including the activities of

acquiring data representing an item of said patient medical record information in response to user selection of a link of said plurality of links and wherein
said item of said patient medical record information is available for access on said portable processing device when said portable processing device is offline and

initiating display of an image including information comprising an item of patient medical information in response to user selection of a link to one of said plurality of items of patient medical record information.

13. (Previously Presented) A user interface method for use by a portable processing device for accessing and navigating patient record information, comprising the activities of:

receiving user identification information for use in authorizing user operation of said portable processing device;

initiating display of a patient record content index image using data derived, by dynamically processing information comprising an existing patient record, in response to a user command from said portable processing device to access said particular patient record, said content index image including a plurality of links to a corresponding plurality of items of patient record information;

initiating display of an image including a recorded patient medical parameter value and an associated medical parameter label comprising an item of patient record information in response to user selection of a link to one of said plurality of items of patient record information in said content index image; and

initiating display of at least one of, (a) a reference range for said medical parameter and (b) a unit of measure for said medical parameter in response to user selection of said medical parameter label.

14. (Original) A method according to claim 13, wherein
said reference range comprises a normal value range for said medical parameter.

15. (Previously Presented) A method according to claim 13, wherein
said medical parameter label is a URL link stored in said portable processing device, and

said at least one of, (a) a reference range for said medical parameter and (b) a unit of measure for said medical parameter, is acquired and displayed using said medical parameter label URL.

16. (Previously Presented) A method according to claim 13, including the activity of

initiating display of an image including a plurality of links to a corresponding plurality of individual patients; and wherein

said step of initiating display of a patient record content index image is performed in response to user selection of a link to one of said plurality of individual patients.

17. (Previously Presented) A method according to claim 13, wherein, said processing of said information comprising said existing patient record includes the activity of

initiating generation of said patient record content index image by deriving content information from ancillary data associated with acquired patient record information.

18. (Previously Presented) A system for providing a user interface for use by a portable processing device for accessing and navigating patient record information, comprising:

a communication network for receiving user identification information for use in authorizing user operation of said portable processing device; and

a processor for,

initiating display of an image including a plurality of links to a corresponding plurality of individual patients;

initiating display of a patient record content index image using data derived, by dynamically processing information comprising an existing patient record, in response to a user command from said portable processing device to access said particular patient record, said content index image including a plurality of links to a corresponding plurality of items of patient record information in response to user selection of a link to one of said plurality of individual patients; and

initiating display of an image including information comprising a portion of a patient record in response to user selection of a link to one of said plurality of items of patient record information.

19. (Previously Presented) A processing system supporting remote operation of a plurality of portable processing devices used for accessing and navigating patient record information, comprising the activities of:

validating user identification information received from a portable processing device and communicating operation authorization to said portable processing device;

deriving content index information from information in an existing patient record by parsing patient record information ancillary data to identify distinct patient record information sections in response to a user command from a portable processing device to access said particular patient record; and

communicating to said portable processing device patient record information including said patient record content index data in response to a request for said patient record information from said portable processing device.

20. (Previously Presented) A system according to claim 19, wherein
said communicated patient record information includes a medical parameter
and including the activity of,

communicating to said portable processing device at least one of, (a) a
reference range for said medical parameter and (b) a unit of measure for said medical
parameter in response to receiving a message addressed to a URL associated with a medical
parameter label.

21. (Original) A method according to claim 19, wherein
said ancillary data comprises at least one of, (a) header data of said acquired
patient record information, (b) descriptive data in a data field of said acquired patient
record information, (c) identification data in a data field of said acquired patient record
information, and (d) text data derived by parsing content of said acquired patient record
information.

22. (Previously Presented) A method according to claim 1, including the
activity of,

acquiring data representing said portion of said patient record in response to
user selection of said link and wherein

said portion of said patient record is available for access on said portable
processing device when said portable processing device is offline.

23. (Previously Presented) A method according to claim 1, wherein said
activity of,

processing information comprising an existing particular patient record is
performed in response to download of particular patient record information to said portable

processing device and storage of said particular patient record information in said portable processing device.

24. (Previously Presented) A method according to claim 1, including the activities of,

acquiring data representing said plurality of links to said corresponding plurality of items of patient record information and

storing said data representing said plurality of links in said portable processing device.